

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
Atlanta Division**

JANICE MOODY, *on behalf of herself and
all others similarly situated,*

Plaintiff,

v.

Civil Action No. 1:24-cv-05406

NEWREZ, LLC d/b/a SHELLPOINT
MORTGAGE SERVICING,

Defendant.

**MEMORANDUM IN SUPPORT OF JOINT MOTION FOR TEMPORARY
STAY**

Plaintiff Janice Moody (“Plaintiff”), and Defendant NewRez, LLC d/b/a Shellpoint Mortgage Servicing (“Defendant”) (collectively, “the Parties”), through their respective counsel, respectfully move the Court for a temporary stay of all case deadlines through and including September 30, 2025. In support of the requested extension, the Parties state as follows:

1. On November 22, 2024, Plaintiff filed this putative class action against Defendant Newrez, LLC d/b/a Shellpoint, alleging class and individual claims under the Real Estate Settlement Procedures Act, the Truth in Lending Act, and Georgia

law related to the collection of interest and fees on her mortgage loan and the loans of similarly situated consumers.

2. Since the filing of the Complaint, the parties have engaged in informal settlement discussions. As part of those discussions, the parties have agreed to a private mediation to be held on September 18, 2025.

3. To avoid the accumulation of additional fees and costs by either side that may hinder the parties' settlement efforts, and so that they may focus their efforts on the upcoming global mediation, the parties jointly request a stay of all case deadlines in this matter until and including September 30, 2025.

4. Good cause exists for the requested stay because neither party will suffer undue prejudice from the requested stay (which they jointly request) and a stay serves the interests of judicial economy by encouraging resolution of this matter and others without further expenditure of party or judicial resources. As this and other courts have found, settlement discussions provide good cause for a temporary stay, and such cause exists here. *See, e.g., Abouem v. Ally Fin., Inc.*, 2022 WL 2388608, at *3 (N.D. Ga. Mar. 11, 2022) (granting stay on contested motion where there was a case dispositive motion pending and "the parties are also soon to engage in mediation"); *Boyd v. Mnuchin*, 2019 WL 13268177, at *1 (N.D. Ga. Mar. 14, 2019) (recognizing that court had granted joint motion to stay proceedings pending

settlement discussions); *see also Welter v. Uponor N. Am., Inc.*, 2024 WL 4956622, at *1 (D. Okla. Dec. 2, 2024) (exercising “inherent power” to issue stay until after parties participated in settlement conference); *Wilmington Tr. Nat’l Assoc. v. Park One East Townhouse Owners Assoc., Inc.*, 2017 WL 3484733, at *1 (D. Nev. Aug. 14, 2017) (issuing 60-day stay on joint motion for the parties to engage in settlement discussions, finding that “no parties will suffer any prejudice as a result of the stay,” while denial of the stay “will cause hardship to the Parties as both parties will be forced to enter into discovery and other case management activities”).

5. The Parties represent that the stay is not sought for bad faith purposes or to delay the proceedings, and any requested extension of the fact discovery period (currently set to expire on October 3, 2025) if the case does not settle would be commensurate with the period of the stay and not any longer.

WHEREFORE, the Parties respectfully submit that there is good cause for the requested stay and ask that the Court grant their motion.

Dated: July 17, 2025

Respectfully submitted,

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***Counsel for Defendant NewRez LLC
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CERTIFICATE OF COUNSEL

I hereby certify that the foregoing document has been prepared with Times New Roman 14-point font, one of the font and point selections approved by the Court in LR 5.1, N.D. Ga.

/s/ Matthew G. Rosendahl

CERTIFICATE OF SERVICE

I hereby certify that I filed a copy of the foregoing in this matter via CM/ECF on July 17, 2025, which constitutes adequate service on all counsel of record under the Federal Rules of Civil Procedure.

/s/ Matthew G. Rosendahl